

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKJAMES WATSON, JOSEPH AVITABILE,
THOMAS MCGLADE, AND ROBERT SHEEHAN,
INDIVIDUALLY AND ON BEHALF OF ALL OTHERS
SIMILARLY SITUATED,Plaintiff(s)
Petitioner(s)INDEX #:
08 CV 4436
DATE FILED:
05/12/2008

- against -

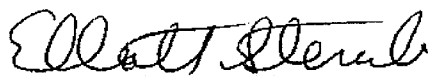
CONSOLIDATED EDISON OF NEW YORK AND
THE CONSOLIDATED EDISON PENSION AND BENEFITS PLAN,Defendant(s)
Respondent(s)JUDGE:
RAKOFF

STATE OF NEW YORK: COUNTY OF NASSAU: ss:

ELLIOTT STERNBERG, BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE
AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORKThat on 05/15/2008, 09:45AM at 4 IRVING PLACE, 1ST FLOOR, NEW YORK NY 10003, deponent served the within SUMMONS IN A CIVIL
CASE & CLASS ACTION COMPLAINT on CONSOLIDATED EDISON OF NEW YORK, a defendant in the above action.By delivering to and leaving with MARY EHIEMUA at the above address and that he knew the person so served to be the managing agent of
the corporation.

DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS:

Sex F Approximate age 25 Approximate height 5'05" Approximate weight 110 Color of skin BLACK Color of hair BLACK

LEEDS MORELLI &
BROWN, P.C.ONE OLD COUNTRY ROAD
SUITE 347
CARLE PLACE, NY 11514
(516)873-9550
ELLIOTT STERNBERG License # 1184595Sworn to before me on 05/16/2008
MAUREEN MCCAFFREY NO 01MC5018583
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN SUFFOLK COUNTY
COMMISSION EXPIRES OCTOBER 4, 2009